



**PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA**

**SHANTHA CHILDREN'S EDUCATION
SERVICES FOUNDATION (INCORPORATION)
ACT, No. 19 OF 2007**

[Certified on 20th June, 2007]

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*Shantha Children's Education Services Foundation
(Incorporation) Act, No. 19 of 2007*

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L.D.—O. (INC) 19/2004.

AN ACT TO INCORPORATE THE SHANTHA CHILDREN'S EDUCATION
SERVICES FOUNDATION

WHEREAS A Foundation called and known as the Shantha Children's Education Services Foundation has heretofore been established for the purpose of effectually carrying out and transacting all matters connected with the said Foundation according to the rules agreed to by its members :

Preamble.

AND WHEREAS the said Foundation has heretofore successfully carried out and transacted several objects and matters for which it was established and applied to be incorporated, and it will be for the public advantage to grant the application :

BE IT THEREFORE enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows :—

1. This Act may be cited as the Shantha Children's Education Services Foundation (Incorporation) Act, No. 19 of 2007.

Short title.

2. From and after the date of commencement of this Act, such and so many persons as now are members of the Shantha Children's Education Services Foundation (hereinafter referred to as the "Foundation"), and shall hereafter be admitted members of the Corporation hereby constituted shall be a body corporate with perpetual succession under the name and style of the "Shantha Children's Education Services Foundation" (hereinafter referred to as "Corporation") and by that name may sue and be sued with full power and authority to have and use a common Seal and to alter the same at its pleasure.

Incorporation of the Shantha Children's Education Services Foundation.

3. The general objects for which the Corporation is established are hereby declared to be —

General objects of the Corporation.

(a) to establish pre-schools with a view to familiarize the children with school environment ;

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- (b) to grant scholarships to poor students of rural and urban areas ;
- (c) to establish children's parks to ensure the physical and mental growth of children ;
- (d) to provide common amenities and educational equipment to under equipped schools situated in remote areas ;
- (e) to provide medical facilities through medical clinics to children living in the areas where there are poor medical facilities :

Provided however provisions of paragraphs (a), (b) and (d) shall be given effect to only subject to the supervision of the Provincial Director of Education, Divisional Director of Education, Regional Director of Education and the Chairman of the local authority or any officer authorized by him in writing.

General powers
of the
Corporation.

4. Subject to the provisions of this Act and any other written law, the Corporation shall have the power to—

- (a) receive or collect grants, gifts or donations from local or foreign sources ;
- (b) acquire and hold, take or give on lease or hire, mortgage, pledge or sell or otherwise dispose of any movable or immovable property ;
- (c) give grants, endowments or loans for the furtherance of the objects of the Corporation ;
- (d) appoint, employ, remunerate and exercise disciplinary control over its officers and servants ;
- (e) open and close current, savings and deposit accounts in any bank or banks and borrow or raise money with or without security ;

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- (f) invest funds of the Corporation in such securities as may be determined by the Committee of Management ; and
- (g) to do all such other acts and things as are incidental or conducive to the carrying out of the objects of the Corporation.

5. (1) The Corporation shall cause proper accounts to be kept of its income and expenditure assets and liabilities and all other transactions of the Corporation. Audit and Accounts.

(2) The accounts of the Corporation shall be audited by a qualified auditor appointed by the Committee of Management.

6. (1) The affairs of the Corporation shall, subject to the provisions of this Act and the rules in force for the time being be administered by a Committee of Management consisting of eleven following members :— Management of the Corporation.

- (a) Hon. President, Hon. Vice President, General Secretary, Assistant Secretary, Treasurer; and
- (b) six other members elected in accordance with the rules in force for the time being of the Corporation.

(2) The first Committee of Management of the Corporation shall consist of the members of the Committee of Management of the Foundation holding office on the day immediately preceding the date of commencement of this Act.

7. (1) It shall be lawful for the Corporation from time to time at any General Meeting and by a majority of not less than two-thirds of the members present and voting to make rules, not inconsistent with the provisions of this Act or any other written law for the following matters :— Rules of the Corporation.

- (a) the admission to and withdrawal or expulsion of membership and the membership fees payable ;

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- (b) the election of members of the Committee of Management and their powers and duties ;
- (c) the duties and functions of the officers and servants of the Corporation ;
- (d) the procedure to be followed in the summoning and holding of meetings of the Committee of Management and the quorum and the conduct of business thereat.

(2) Every member of the Corporation shall be subject to the rules for the time being in force of the Corporation.

Transfer of remaining property after dissolution.

8. If upon dissolution of the Corporation there remains any property after the satisfaction of all its debts and liabilities, such property shall not be distributed among the members of the Corporation, but shall be given or transferred to some other institution or institutions having objects similar to those of the Corporation, and which is or are by its rules prohibited from distributing any income or property among its or their members.

Debts due by and payable to the Foundation.

9. All debts and liabilities of the Foundation existing on the day immediately preceding the date of commencement of this Act, shall be paid by the Corporation hereby constituted and all debts due to, subscriptions and contributions payable to the Foundation as on such day shall be paid to the Corporation for the purpose of this Act.

Corporation may hold property movable and immovable.

10. The Corporation shall be able and capable in law to acquire and hold property both movable or immovable which may become vested in it by virtue of purchase, grant, gift, testamentary disposition or otherwise, and all such property shall be held by the Corporation for the purposes of this Act and subject to the rules in force for the time being of the Corporation, shall have full power to sell, mortgage, lease, exchange or otherwise dispose of the same.

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- 11.** The seal of the Corporation shall be in the custody of the Committee of Management and not to be affixed to any instrument whatsoever, except in the presence of the President and two other members of the Committee of Management and such signing shall be independent of the signing of any person as a witness. Seal of the Corporation.
- 12.** Nothing in this Act contained shall prejudice or affect the rights of the Republic or of any body politic or corporate. Saving of the rights of the Republic and others.
- 13.** In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail. Sinhala text to prevail in case of inconsistency.

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